

Exhibit A

Lynette M. Vazquez

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From: Mangi, Adeel A. (x2563) [mailto:AAMANGI@PBWT.COM]
Sent: December 09, 2005 5:20 PM
To: Edward Notargiacomo
Cc: Haas, Erik (x2117)
Subject: Draft CMO

Ed: Please see attached letter and draft CMO.

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<<ntj.pdf>> <<draft CMO.DOC>>

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December 9, 2005

By Email Attachment and Certified Mail

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Hagens Berman
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Re: In re AWP Litigation

Dear Ed:

Further to our discussion of yesterday, attached is a draft proposed case management order for your review. We await your clarification as to the anticipated role of Pirelli and as to a schedule for BCBS of Massachusetts depositions. In proposing a merits schedule, we of course do not concede the adequacy of the proposed class representatives.

Sincerely,



Adeel A. Mangi

Attachment

DRAFT

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)	MDL NO. 1456
AVERAGE WHOLESALE PRICE)	CIVIL ACTION NO.
LITIGATION)	01-12257-PBS
)	

CASE MANAGEMENT ORDER NO.

December ___, 2005

Saris, U.S.D.J.

The schedule for discovery of new plaintiffs Pipefitters Local 537 Trust Funds (“Pipefitters Local”), [Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust (“Pirelli”),] Sheet Metal Workers National Health Fund (“SMW”) and Blue Cross/Blue Shield of Massachusetts (“BCBS of MA”) is as follows:

1. Defendants shall serve [initial] document requests and Rule 30(b)(6) notices by December 14, 2005.
2. Pipefitters Local, [Pirelli,] SMW and BCBS of MA shall serve written responses and produce claims data, provider contracts, electronic fee schedules, and documents showing that they purchased physician-administered drugs based on AWP by December 23, 2005.
3. Pipefitters Local, [Pirelli,] SMW, and BCBS of MA shall produce witnesses for Rule 30(b)(6) depositions by January 13, 2006.
4. Defendants shall serve any non-party subpoenas relating to Pipefitters Local, [Pirelli,] SMW and BCBS of MA by January 20, 2006.
5. Document production by Pipefitters Local, [Pirelli,] SMW and BCBS of MA shall be substantially completed by March 1, 2006.
6. Depositions of Pipefitters Local, [Pirelli,] SMW and BCBS of MA shall be completed by April 15, 2006.
7. All other aspects of the track one schedule shall remain in place.

United States District Judge